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**Advancement of women**

# Status of the Convention on the Elimination of All Forms of Discrimination against Women

## Report of the Secretary-General

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# I. Introduction

1. The General Assembly, by its resolution 34/180 of 18 December 1979, adopted the Convention on the Elimination of All Forms of Discrimination against Women. In subsequent resolutions, including resolutions 49/164 of 23 December 1994 and 51/68 of 12 December 1996, the Assembly urged States that had not yet ratified or acceded to the Convention to do so as soon as possible and requested the Secretary-General to report on the status of the Convention.[1] In its resolution 51/68, the General Assembly requested the Secretary-General to submit a report on the status of the Convention and the implementation of that resolution to its fifty-third session in 1998.

# II. Status of the Convention on the Elimination of All Forms of Discrimination against Women

2. The Convention was opened for signature in New York on 1 March 1980 and, in accordance with its article 27, entered into force on 3 September 1981.

3. As at 1 August 1998, a total of 161 States parties had ratified, acceded or succeeded to the Convention, of which 60 had acceded and six had succeeded to it. In addition, three States were signatories to the Convention. The last country to ratify the Convention was Myanmar, on 22 July 1997 (see annex I for the complete list of States that have signed, ratified, acceded or succeeded to the Convention as at 1 August 1998, as well as the dates of the signatures and receipt of the instruments of ratification, accession or succession).

4. As at 1 August 1998, 22 States parties had deposited with the Secretary-General instruments of their acceptance of the amendment to article 20, paragraph 1, of the Convention, including eight States that did so during the period from 1 August 1997 to 1 August 1998. These States were: Australia, 4 June 1998; Canada, 3 November 1997; Chile, 8 May 1998; France, 8 August 1997; Mongolia, 19 December 1997; the Netherlands, 10 December 1997; Portugal, 29 June 1998; and Switzerland, 2 December 1997.

5. During the period from 1 August 1997 to 1 August 1998, no reservations were made. The last country to enter reservations to the Convention was Myanmar (see annex II). Objections were received from Austria, Denmark, the Netherlands and Sweden (see annex III). Withdrawals of reservations and declarations were received from Malaysia, Mauritius and Poland (see annex IV). Communications were received from Denmark and Sweden (see annex V).

# III. Committee on the Elimination of Discrimination against Women: working methods and capacity to fulfil its mandate

## A. Consideration of the reports of States parties

6. In its resolution 51/68, the General Assembly invited States parties to make all possible efforts to submit their reports on the implementation of the Convention in accordance with its article 18 and with the guidelines provided by the Committee and to cooperate fully with the Committee in the presentation of the reports.

7. In order to address the backlog of reports awaiting consideration and to encourage States parties to report in a timely fashion, the Committee decided, by decision 16/III of its sixteenth session, on an exceptional basis and as a temporary measure, to invite States parties to combine a maximum of two of the reports required under article 18 of the Convention. At its seventeenth session, by decision 17/I, the Committee decided that States parties presenting reports at the January session in any year should submit any additional information, including any additional reports, prior to 15 September of the previous year. In the case of the July session, the Committee decided that additional information should be submitted by 30 March of that year. At that same session, by decision 17/II, the Committee decided that the maximum number of reports to be considered at each session will normally be eight, drawn from a proposed list of up to ten countries.

8. As at 1 August 1998, the reports of 31 States parties were awaiting consideration by the Committee. These included five initial reports; one combined initial and second periodic reports; two second periodic reports; seven combined second and third periodic reports; one combined second, third and fourth periodic report; seven third periodic reports; three combined third and fourth periodic reports; and five fourth periodic reports (see annex VI).

## B. Number of reports of States parties received and considered

9. Since its establishment in 1981, the Committee has held 19 sessions. It has reviewed a total of 179 reports, including 80 initial reports; 12 combined initial and second periodic reports; three combined initial, second and third periodic reports; 40 second reports; 13 combined second and third periodic reports; 21 third periodic reports; four combined third and fourth periodic reports and six fourth reports. It has also considered five reports submitted on an exceptional basis; from Croatia, Bosnia and Herzegovina, Rwanda, the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Democratic Republic of the Congo.

10. In its resolution 51/68, the General Assembly urged States parties to the Convention to take appropriate measures so that acceptance of the amendment to article 20, paragraph 1, of the Convention by a two-thirds majority of States parties could be reached as soon as possible, in order for the amendment to enter into force. In that resolution, the General Assembly approved, for an interim period starting in 1997, the request made by the Committee[2] and supported by the States parties to the Convention, for additional meeting time to allow the Committee to hold two sessions annually, each of three weeks' duration, preceded by a pre-session working group. Since the approval of that request, the Committee has considered the reports of 34 States parties, or over 19 per cent of the States parties that it has considered since its first session in 1982.

## C. Overdue reports

11. Following the initial report, which is due one year after ratification, States parties are required under article 18 of the Convention to submit reports every four years or whenever the Committee so requests.

12. As at 1 August 1998, there were 203 overdue reports, of which 60 are initial reports, 49 second periodic reports, 40 third periodic reports and 54 fourth periodic reports (see annex VII). A list of reports which have been overdue for more than five years is presented to the Committee at each session (see annex VIII for the list that was presented to the Committee at its nineteenth session).

13. At its seventeenth session, the Committee invited the Secretariat to advise States parties whose reports are overdue that advice on receiving assistance from the United Nations system in this regard may be obtained from the Division for the Advancement of Women.

## D. Lists of issues and questions with respect to periodic reports

14. Over its past three sessions, the Committee has refined its method of preparing the lists of issues and questions with respect to periodic reports. At its nineteenth session, it agreed to continue its practice of assigning three members, including the designated country rapporteur, to prepare questions relating to periodic reports to guide the pre-session working group as it draws up the lists of issues and questions with respect to periodic reports. These three members should be drawn from different regions.

15. The Committee also decided that the Secretariat should prepare draft lists of issues and questions with regard to periodic reports, based on an analytical comparison of current reports of States parties with earlier reports, and the Committee's discussion thereon, and other relevant information, including concluding observations of other treaty bodies with respect to the States parties concerned. The draft lists prepared by the Secretariat would be sent to the country rapporteurs in advance of the meeting of the pre-session working group (decision 19/III).

## E. Practices of the Committee during constructive dialogue

16. At its sixteenth session, the Committee decided that guidelines should be formulated for States parties with regard to the presentation of periodic reports. Those guidelines, which should be part of the Committee's guidelines for the preparation of reports, should indicate that States parties, when presenting reports orally would address the Committee for up to one hour, with one and a half meetings being available for consideration of the report by the Committee.

17. At its eighteenth session, the Committee reaffirmed its past practice that members of the Committee should refrain from participating in any aspect of the consideration of the reports of the States of which they were nationals, in order to maintain the highest standards of impartiality, both in substance and appearance (decision 18/III). At its nineteenth session, the Committee decided that this decision should be made widely known, in particular, to States parties whose nationals are members of the Committee at the time these States parties are presenting their reports. It also decided that the chairperson of the Committee should make decision 18/III, as well as the procedures of the Committee, known to new experts (decision 19/II).

## F. Concluding comments

18. Over its past four sessions, the Committee has considered its procedures for the formulation and format of concluding comments. At its nineteenth session, it adopted standard procedures and format for the elaboration of concluding comments (see annex IX).

## G. Implementation of article 21 of the Convention

19. At its sixteenth session, in January 1997, the Committee adopted general recommendation 23 on women in public life, which concerns articles 7 and 8 of the Convention.[3]

20. At its seventeenth session, the Committee decided to adopt a three stage process for the preparation of future general recommendations. The first stage would consist of a general discussion and exchange of views on the subject of the proposed general recommendation during an open meeting of the Committee. The specialized agencies and other United Nations bodies, as well as non-governmental organizations, would be encouraged to participate in the discussion and to prepare informal background papers as appropriate. At the second stage, the results of the general discussion would be compiled by a member of the Committee and the Secretariat into an initial draft general recommendation. This draft would be discussed at the next session by working group II, which could invite resource persons and non-governmental organizations to take part in discussions incorporated into a revised draft, which would be distributed to all experts before the next session. The revised draft would be submitted by working group II at the subsequent session for consideration and adoption by the Committee as a whole.[4]

21. At the seventeenth session, the Committee decided that its next general recommendation would be on women and health (article 12 of the Convention). Future general recommendations would relate to articles 2 and 4 respectively.[5]

## H. Specialized agencies and other United Nations bodies

22. At its sixteenth session, the Committee recommended that links between the Committee and the specialized agencies and other United Nations bodies should be strengthened. It requested the Secretariat to ensure that the concluding comments of the Committee are submitted to the heads of the specialized agencies as soon as possible after their conclusion, and urged the specialized agencies, in particular those with field-level offices, to keep in mind the principles and recommendations of the Committee in defining their work programmes. The Committee recommended that the input of the specialized agencies and other bodies into the Committee's work under article 22 of the Convention should be more structured and should be country-specific and include information on treaties accepted by the reporting States parties, information from country or regional studies about the States parties, new statistics about State parties collected by the agencies and description of the country-level programmes of the agencies in the States parties under review.[6]

23. At its eighteenth session, the Committee decided that representatives of the specialized agencies and bodies of the United Nations should be invited to provide country-specific information to the Committee's pre-session working group on those States parties whose reports were before the group (decision 18/I). At the same session, it decided that representatives of the specialized agencies and United Nations bodies should be invited to address the Committee as a whole in a closed meeting on those States parties whose initial reports were before the Committee (decision 18/II).

## I. Non-governmental organizations

24. At its sixteenth session, the Committee decided to invite the Secretariat to facilitate informal meetings with non-governmental organizations outside the regular meeting time of the Committee. During such meetings, non-governmental organizations would be invited to offer country-specific information on the States parties to be reviewed by the Committee (decision 16/II). The Secretariat facilitated such informal meetings at the time of the Committee's seventeenth, eighteenth and nineteenth sessions. At its eighteenth session, the Committee decided that representatives of national and international non-governmental organizations should be invited to provide country-specific information to the pre-session working group on those States parties whose reports were before the group (decision 18/I).

## J. Reservations to the Convention on the Elimination of All Forms of Discrimination against Women

25. In its resolution 51/68, the General Assembly urged States parties to limit the extent of any reservations lodged to the Convention; formulate any reservations as precisely and as narrowly as possible; ensure that no reservations are incompatible with the object and purpose of the Convention or otherwise incompatible with international treaty law; review their reservations regularly, with a view to withdrawing them, and withdraw reservations that are contrary to the object and purpose of the Convention or that are otherwise incompatible with international treaty law.

26. At its sixteenth session, in January 1997, the Committee had before it a report on reservations to the Convention prepared by the Division for the Advancement of Women (CEDAW/C/1997/4). The report described the pattern of reservations and declarations made by States parties to the Convention upon ratification or accession and surveyed the responses of the Committee, States parties to the Convention, United Nations conferences and others, including non-governmental organizations and scholars, to these reservations and declarations. The report provided a comparison with reservations and declarations entered to the other United Nations human rights treaties and also outlined measures that had been taken in other contexts to address reservations, suggesting options available to the Committee to encourage the reduction and elimination reservations.

27. At its seventeenth session, in July 1997, the Committee decided that its contribution to the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights should include a written statement on reservations, in particular in the context of article 2 of the Convention. The Committee adopted a statement on reservations at its nineteenth session (see annex X).

## K. Timing of the Committee's pre-session working group

28. At its sixteenth and eighteenth sessions, the Committee proposed that its pre-session working group be convened at the end of the session prior to the one at which selected States parties would report in order to provide States parties presenting periodic reports with the Committee's comments well in advance (suggestion 16/2; suggestion 18/1). At its eighteenth session it proposed that the transition to this pattern of work should take place at its twentieth session, in January 1999 (suggestion 18/1).

29. At its nineteenth session, the Committee decided that, in order to effect a smooth transition to this pattern of work, the pre-session working group for the twenty-first session meet as a third working group during the twentieth session. It also decided that the pre-session working group for the twenty-first session should, if necessary, remain for up to three days after the twentieth session to consolidate the lists of issues and questions with respect to the reports to be considered at the twenty-first session. The Committee underlined that the pre-session working group for the twentieth session should be treated in the same way as all other pre-session working groups, especially in regard to input from the specialized agencies and other United Nations bodies and non-governmental organizations.

## L. Optional Protocol

30. In its resolution 51/68, the General Assembly welcomed the report of the Open-ended Working Group on the Elaboration of a Draft Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women of the Commission on the Status of Women and decided to authorize the Open-ended Working Group to meet for ten working days, in parallel with the Commission on the Status of Women at its forty-first session in March 1997.

31. In adopting the report of the Commission on the Status of Women on its fortieth session, the Economic and Social Council decided, *inter alia*, that a representative of the Committee on the Elimination of Discrimination against Women should be invited to attend the next session of the Open-ended Working Group as a resource person.[7] At its sixteenth session, the Committee designated Ms. Silvia Cartwright as its representative to the Working Group.[8]

32. At the forty-first session of the Commission on the Status of Women, the Open-ended Working Group completed a first reading of a compilation text prepared by the Chairperson of the Group, based on the elements suggested by the Committee in suggestion No. 7, proposals made by members of the Open-ended Working Group at its first session and on views expressed by Governments and intergovernmental and non-governmental organizations (E/CN.6/1996/10 and Corr.1 and Add.1 and 2 and E/CN.6/1997/5).

33. In its decision 1997/227 of 21 July 1997, the Economic and Social Council renewed the mandate of the Open-ended

Working Group and endorsed a draft decision of the Commission on the Status of Women to invite a representative of the Committee on the Elimination of Discrimination against Women to attend the meetings of the Open-ended Working Group to be held in parallel with the forty-second and forty-third sessions of the Commission on the Status of Women in 1998 and 1999 as a resource person. At its seventeenth session in July 1997, the Committee again designated Ms. Silvia Cartwright to act as the resource person.[9]

## M. Electronic information dissemination

34. During the period since the General Assembly adopted its resolution 51/68, the Division for the Advancement of Women has significantly developed the space on its homepage on the World Wide Web devoted to the Convention on the Elimination of All Forms of Discrimination against Women. The Convention, the reports of States parties and documents of the Committee, including general recommendations and concluding comments are posted on the page for easy access. In addition, there is a page dedicated to development relating to the proposed optional protocol. The Division cooperates closely with the Office of the United Nations High Commissioner for Human Rights, maintaining links between the Division's site and that of the Office of the High Commissioner.

*Notes*

[1] See A/35/428; A/36/295 and Add.1; A/7/349 and Add.1; A/38/378; A/39/486; A/40/608 and Add.1; A/42/627; A/43/605; A/44/457; A/45/426; A/47/368; A/48/354; A/49/308; A/50/346 and A/51/277.

[2] *Official Records of the General Assembly, Fifty-first Session, Supplement No. 38* (A/51/38), chapter I, section A, decision 15/1.

[3] For the text, see the Report of the Committee on the Elimination of Discrimination against Women (Sixteenth and seventeenth sessions), *Official Records of the General Assembly, Fifty-second Session, Supplement No. 38* (A/52/38/Rev.1), part two, chap. I, sect. A.

[4] Ibid., part two, chap. VI, para. 480.

[5] Ibid., part two, chap. VI, paras. 481 and 482.

[6] Ibid., part two, chap. V, para. 365.

[7] *Official Records of the Economic and Social Council, 1996, Supplement No. 1* (E/1996/96), decision 1996/240 of 22 July 1996.

[8] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 38* (A/52/38/Rev.1), part one, chap. VI, para. 388.

[9] Ibid., part two, chap. VI, para. 484.

# Annex I

## List of States that have signed, ratified, acceded or succeeded to the Convention on the Elimination of All Forms of Discrimination against Women as at 1 August 1998

| *State* | *Date of signature* | *Date of receipt of the instrument of ratification, accession or succession* |
|---|---|---|
| Afghanistan | 14 August 1980 | |
| Albania | | 11 May 1994[a] |
| Algeria | | 22 May 1996[a] [b] |
| Angola | | 17 September 1986[a] |
| Andorra | | 15 January 1997[a] |
| Antigua and Barbuda | | 1 August 1989[a] |
| Argentina | 17 July 1980 | 15 July 1985[b] |
| Armenia | | 13 September 1993[a] |
| Australia | 17 July 1980 | 28 July 1983[b] |
| Austria | 17 July 1980 | 31 March 1982[b] |
| Azerbaijan | | 10 July 1995[a] |
| Bahamas | | 6 October 1993[a] [b] |
| Bangladesh | | 6 November 1984[a] [b] |
| Barbados | 24 July 1980 | 16 October 1980 |
| Belarus | 17 July 1980 | 4 February 1981[c] |
| Belgium | 17 July 1980 | 10 July 1985[b] |
| Belize | 7 March 1990 | 16 May 1990 |
| Benin | 11 November 1981 | 12 March 1992 |
| Bhutan | 17 July 1980 | 31 August 1981 |
| Bolivia | 30 May 1980 | 8 June 1990 |
| Bosnia and Herzegovina | | 1 September 1993[d] |
| Botswana | | 13 August 1996[a] |
| Brazil | 31 March 1981[b] | 1 February 1984[b] |
| Bulgaria | 17 July 1980 | 8 February 1982[c] |
| Burkina Faso | | 14 October 1987[a] |
| Burundi | 17 July 1980 | 8 January 1992 |
| Cambodia | 17 October 1980 | 15 October 1992[a] |
| Cameroon | 6 June 1983 | 23 August 1994[a] |
| Canada | 17 July 1980 | 10 December 1981[c] |
| Cape Verde | | 5 December 1980[a] |
| Central African Republic | | 21 June 1991[a] |
| Chad | | 9 June 1995[a] |
| Chile | 17 July 1980 | 7 December 1989[b] |
| China | 17 July 1980[b] | 4 November 1980[b] |
| Colombia | 17 July 1980 | 19 January 1982 |

| *State* | *Date of signature* | *Date of receipt of the instrument of ratification, accession or succession* |
|---|---|---|
| Comoros | | 31 October 1994[a] |
| Congo | 29 July 1980 | 26 July 1982 |
| Costa Rica | 17 July 1980 | 4 April 1986 |
| Côte d'Ivoire | 17 July 1980 | 18 December 1995[a] |
| Croatia | | 9 September 1992[d] |
| Cuba | 6 March 1980 | 17 July 1980[b] |
| Cyprus | | 23 July 1985[a b] |
| Czech Republic[e] | | 22 February 1993[c d] |
| Democratic Republic of the Congo[f] | 17 July 1980 | 17 October 1986 |
| Denmark | 17 July 1980 | 21 April 1983 |
| Dominica | 15 September 1980 | 15 September 1980 |
| Dominican Republic | 17 July 1980 | 2 September 1982 |
| Ecuador | 17 July 1980 | 9 November 1981 |
| Egypt | 16 July 1980[b] | 18 September 1981[b] |
| El Salvador | 14 November 1980[b] | 19 August 1981[b] |
| Equatorial Guinea | | 23 October 1984[a] |
| Eritrea | | 5 September 1995[a] |
| Estonia | | 21 October 1991[a] |
| Ethiopia | 8 July 1980 | 10 December 1981[b] |
| Fiji | | 28 August 1995[a b] |
| Finland | 17 July 1980 | 4 September 1986 |
| France | 17 July 1980[b] | 14 December 1983[b c] |
| Gabon | 17 July 1980 | 21 January 1983 |
| Gambia | 29 July 1980 | 16 April 1993 |
| Georgia | | 26 October 1994[a] |
| Germany[g] | 17 July 1980 | 10 July 1985[b] |
| Ghana | 17 July 1980 | 2 January 1986 |
| Greece | 2 March 1982 | 7 June 1983 |
| Grenada | 17 July 1980 | 30 August 1990 |
| Guatemala | 8 June 1981 | 12 August 1982 |
| Guinea | 17 July 1980 | 9 August 1982 |
| Guinea-Bissau | 17 July 1980 | 23 August 1985 |
| Guyana | 17 July 1980 | 17 July 1980 |
| Haiti | 17 July 1980 | 20 July 1981 |
| Honduras | 11 June 1980 | 3 March 1983 |
| Hungary | 6 June 1980 | 22 December 1980[c] |
| Iceland | 24 July 1980 | 18 June 1985 |
| India | 30 July 1980[b] | 9 July 1993[b] |
| Indonesia | 29 July 1980 | 13 September 1984[b] |
| Iraq | | 13 August 1986[a b] |
| Ireland | | 23 December 1985[a b c] |

| *State* | *Date of signature* | *Date of receipt of the instrument of ratification, accession or succession* |
|---|---|---|
| Israel | 17 July 1980 | 3 October 1991[b] |
| Italy | 17 July 1980 | 10 June 1985[b] |
| Jamaica | 17 July 1980 | 19 October 1984[b] |
| Japan | 17 July 1980 | 25 June 1985 |
| Jordan | 3 December 1980[b] | 1 July 1992[b] |
| Kenya | | 9 March 1984[a] |
| Kuwait | | 2 September 1994[a] |
| Kyrgyzstan | | 10 February 1997[a] |
| Lao People's Democratic Republic | 17 July 1980 | 14 August 1981 |
| Latvia | | 14 April 1992[a] |
| Lebanon | | 21 April 1997[a b] |
| Lesotho | 17 July 1980 | 22 August 1995[a b] |
| Liberia | | 17 July 1984[a] |
| Libyan Arab Jamahiriya | | 16 May 1989[a b] |
| Liechtenstein | | 22 December 1995[a c] |
| Lithuania | | 18 January 1994[a] |
| Luxembourg | 17 July 1980 | 2 February 1989[b] |
| Madagascar | 17 July 1980 | 17 March 1989 |
| Malawi | | 12 March 1987[c c] |
| Malaysia | | 5 July 1995[a b] |
| Maldives | | 1 July 1993[a b] |
| Mali | 5 February 1985 | 10 September 1985 |
| Malta | | 8 March 1991[a b] |
| Mauritius | | 9 July 1984[a c] |
| Mexico | 17 July 1980[b] | 23 March 1981 |
| Mongolia | 17 July 1980 | 20 July 1981[c] |
| Morocco | | 21 June 1993[a b] |
| Mozambique | | 16 April 1997[a] |
| Myanmar | | 22 July 1997[a c] |
| Namibia | | 23 November 1992[a] |
| Nepal | 5 February 1991 | 22 April 1991 |
| Netherlands | 17 July 1980 | 23 July 1991[b] |
| New Zealand | 17 July 1980 | 10 January 1985[b c] |
| Nicaragua | 17 July 1980 | 27 October 1981 |
| Nigeria | 23 April 1984 | 13 June 1985 |
| Norway | 17 July 1980 | 21 May 1981 |
| Pakistan | | 12 March 1996[a b] |
| Panama | 26 June 1980 | 29 October 1981 |
| Papua New Guinea | | 12 January 1995[a] |
| Paraguay | | 6 April 1987[a] |
| Peru | 23 July 1981 | 13 September 1982 |

| *State* | *Date of signature* | *Date of receipt of the instrument of ratification, accession or succession* |
|---|---|---|
| Philippines | 15 July 1980 | 5 August 1981 |
| Poland | 29 May 1980 | 30 July 1980[c] |
| Portugal | 24 April 1980 | 30 July 1980 |
| Republic of Korea | 25 May 1983[b] | 27 December 1984[b, c] |
| Republic of Moldova | | 1 July 1994[a] |
| Romania | 4 September 1980[b] | 7 January 1982[b] |
| Russian Federation | 17 July 1980 | 23 January 1981[c] |
| Rwanda | 1 May 1980 | 2 March 1981 |
| Saint Kitts and Nevis | | 25 April 1985[a] |
| Saint Lucia | | 8 October 1982[a] |
| Saint Vincent and the Grenadines | | 4 August 1981[a] |
| Samoa | | 25 September 1992[a] |
| Sao Tome and Principe | 31 October 1995 | |
| Senegal | 29 July 1980 | 5 February 1985 |
| Seychelles | | 5 May 1992[a] |
| Sierra Leone | 21 September 1988 | 11 November 1988 |
| Singapore | | 5 October 1995[a, b] |
| Slovakia[e] | | 28 May 1993[d] |
| Slovenia | | 6 July 1992[d] |
| South Africa | 29 January 1993 | 15 December 1995[a] |
| Spain | 17 July 1980 | 5 January 1984[b] |
| Sri Lanka | 17 July 1980 | 5 October 1981 |
| Suriname | | 1 March 1993[a] |
| Sweden | 7 March 1980 | 2 July 1980 |
| Switzerland | | 23 January 1987 |
| Tajikistan | | 26 October 1993[a] |
| Thailand | | 9 August 1985[a, b, c] |
| The former Yugoslav Republic of Macedonia | | 18 January 1994[d] |
| Togo | | 26 September 1983[a] |
| Trinidad and Tobago | 27 June 1985[b] | 12 January 1990[b] |
| Tunisia | 24 July 1980 | 20 September 1985[b] |
| Turkey | | 20 December 1985[a, b] |
| Turkmenistan | | 1 May 1997[a] |
| Uganda | 30 July 1980 | 22 July 1985 |
| Ukraine | 17 July 1980 | 12 March 1981[c] |
| United Kingdom of Great Britain and Northern Ireland | 22 July 1981 | 7 April 1986[b] |
| United Republic of Tanzania | 17 July 1980 | 20 August 1985 |
| United States of America | 17 July 1980 | |
| Uruguay | 30 March 1981 | 9 October 1981 |
| Uzbekistan | | 19 July 1995[a] |

| *State* | *Date of signature* | *Date of receipt of the instrument of ratification, accession or succession* |
|---|---|---|
| Vanuatu | | 8 September 1995[a] |
| Venezuela | 17 July 1980 | 2 May 1983[b] |
| Viet Nam | 29 July 1980 | 17 February 1982[b] |
| Yemen[h] | | 30 May 1984[a] [b] |
| Yugoslavia | 17 July 1980 | 26 February 1982 |
| Zambia | 17 July 1980 | 21 June 1985 |
| Zimbabwe | | 13 May 1991[a] |

[a] Accession.

[b] Declarations or reservations.

[c] Reservation subsequently withdrawn.

[d] Succession.

[e] Before becoming a separate State on 1 January 1993, the Czech Republic and Slovakia formed part of Czechoslovakia, which had ratified the Convention on 16 February 1982. The Convention entered into force on 18 March 1982.

[f] Effective 17 May 1997, Zaire was renamed the Democratic Republic of the Congo.

[g] With effect from 3 October 1990, the German Democratic Republic (which ratified the Convention on 9 July 1980) and the Federal Republic of Germany (which ratified the Convention on 10 July 1985) united to form one sovereign State, which acts in the United Nations under the designation of "Germany".

[h] On 22 May 1990, Democratic Yemen and Yemen merged to form a single State, which acts in the United Nations under the designation of "Yemen".

# Annex II

## Reservations and declarations to the Convention on the Elimination of All Forms of Discrimination against Women made upon ratification between 1 August 1997 and 1 August 1998

**Myanmar**

[Original: English]
[ 22 July 1997]

*Reservation*

*Article 29*

[The Government of Myanmar] does not consider itself bound by the provision set forth in the said article.

# Annex III

## Objections to the Convention on the Elimination of All Forms of Discrimination against Women made between 1 August 1997 and 1 August 1998

### Objection made by the Government of Austria to reservations made by the Government of Lebanon

[Original: English]
[20 February 1998]

With regards to reservations made by Lebanon upon accession:

[same objection, *mutatis mutandis*, as the one made for Pakistan]

### Objection made by the Government of Denmark to reservations made by the Government of Lebanon

[Original: English]
[26 June 1998]

With regard to the reservations made by Lebanon in respect of article 9, paragraph 2, and article 16, subparagraphs 1 (c), (d), (f) and (g), inasmuch as the last paragraph deals with the right to choose a family name:

> "The Government of Denmark is of the view that the reservations made by the Government of Lebanon raise doubts as to the commitments of Lebanon to the object and purpose of the Convention and would recall that, according to article 28, paragraph 2, of the Convention, a reservation incompatible with the object and purpose of the present Convention shall not be permitted. For this reason, the Government of Denmark objects to the said reservations made by the Government of Lebanon.
>
> The Government of Denmark recommends that the Government of Lebanon reconsider their reservations to [the said Convention]."

### Objections made by the Government of the Netherlands to reservations made by the Government of Lebanon

[Original: English]
[15 May 1998]

With regard to the reservations regarding article 9, paragraph 2, and article 16 first subparagraphs (c), (d), (f) and (g) made by Lebanon upon accession:

[Same objections, *mutatis mutandis*, as the one made for Kuwait.]

### Objections made by the Government of Sweden to reservations made by the Government of Lebanon

[Original: English]
[27 January 1998]

With regard to the reservations made by Lebanon upon accession.

# Annex IV

## Withdrawals of reservations and declarations to the Convention on the Elimination of All Forms of Discrimination against Women between 1 August 1997 and 1 August 1998

### Partial withdrawal of a reservation and declaration by Malaysia

[Original: English]
[6 February 1998]

The Government of Malaysia notified the Secretary-General that it had decided to withdraw its reservation made upon accession, which reads as follows:

> The Government of Malaysia declares that Malaysia's accession is subject to the understanding that the provisions of the Convention do not conflict with the provisions of the Islamic shariah law and the federal constitution of Malaysia. With regards thereto, further, the Government of Malaysia does not consider itself bound by the provisions of articles 2, subparagraph (f), 5, subparagraph (a), 7, subparagraph (b), 9 and 16 of the aforesaid Convention.

### Withdrawal of a reservation and declaration by Mauritius

[Original: English]
[5 May 1998]

The Government of Mauritius informed the Secretary-General that it had decided to withdraw its reservations with regard to subparagraphs (b) and (d) of paragraph 1 of article 11 and subparagraph (g) of paragraph 1 of article 16 made upon accession.

### Withdrawal of a reservation and declaration by Poland

[Original: English]
[16 October 1997]

The Government of Poland notified the Secretary-General that it had decided to withdraw its reservation with regard to article 29, paragraph 1, of the Convention made upon ratification.

# Annex V

## Communications received by States parties between 1 August 1997 and 1 August 1998

### Communication received from the Government of Denmark

[Original: English]
[23 March 1998]

The Secretary-General received from the Government of Denmark a communication identical in essence, *mutatis mutandis*, as the one made for Kuwait, with regard to reservations made by Pakistan upon ratification.

### Communication received from the Government of Denmark

[Original: English]
[26 June 1998]

The Government of Denmark has examined the reservations made by the Government of Lebanon at the time of its accession to the Convention on the Elimination of All Forms of Discrimination against Women in respect of article 9, paragraph 2, and article 16, subparagraphs, 1 (c), (d), (f) and (g), inasmuch as the last subparagraph deals with the right to choose a family name.

The Government of Denmark is of the view that the reservations made by the Government of Lebanon raise doubts as to the commitment of Lebanon to the object and purpose of the Convention and would recall that, according to article 28, paragraph 2, of the Convention, a reservation incompatible with the object and purpose of the present Convention shall not be permitted. For this reason, the Government of Denmark objects to the said reservations made by the Government of Lebanon.

The Government of Denmark recommends that the Government of Lebanon reconsider their reservations to the Convention on the Elimination of All Forms of Discrimination against Women.

### Communication received from the Government of Sweden

[Original: English]
[13 August 1997]

The Secretary-General received from the Government of Sweden the following communication with regard to reservations made by Singapore:

> "The Government of Sweden is of the view that these general reservations raise doubts as to the commitment of Singapore to the object and purpose of the Convention and would recall that, according to article 28, paragraph 2, of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.
>
> It is in the common interest of States that treaties to which they have chosen to become parties are respected, as to their object and purpose, by all parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.
>
> The Government of Sweden is further of the view that general reservations of the kind made by the Government of Singapore, which do not clearly specify the

provisions of the Convention to which they apply and the extent of the derogation therefrom, contribute to undermining the basis of international treaty law.

The Government of Sweden therefore objects to the aforesaid general reservations made by the Government of Singapore to the [said Convention].

The objection does not preclude the entry into force of the Convention between Singapore and Sweden. The Convention will thus become operative between the two States without Singapore benefiting from these reservations.

It is the opinion of the Government of Sweden that no time limit applies to objections against reservations, which are inadmissible under international law."

**Communication received from the Government of Sweden**

[Original: English]
[13 August 1997]

The Secretary-General received from the Government of Sweden, a communication with regard to the declaration made by Pakistan, identical in essence, *mutatis mutandis*, as the one made for Singapore.

# Annex VI

## States parties whose reports are overdue as of 1 August 1998

| *State party* | *Date due* |
|---|---|
| **A. Initial reports** | |
| Albania | 10 June 1995 |
| Algeria | 21 June 1997 |
| Andorra | 14 February 1998 |
| Angola | 17 October 1987 |
| Bahamas | 5 November 1994 |
| Benin | 11 April 1993 |
| Bhutan | 30 September 1982 |
| Bosnia and Herzegovina | 1 October 1994 |
| Botswana | 12 September 1997 |
| Brazil | 2 March 1985 |
| Burundi | 7 February 1993 |
| Cambodia | 14 November 1993 |
| Cameroon | 22 September 1995 |
| Cape Verde | 3 September 1982 |
| Central African Republic | 21 July 1992 |
| Chad | 9 July 1996 |
| Comoros | 30 November 1995 |
| Congo | 25 August 1983 |
| Costa Rica | 4 May 1987 |
| Côte d'Ivoire | 17 January 1997 |
| Dominica | 3 September 1982 |
| Eritrea | 5 October 1996 |
| Estonia | 20 November 1992 |
| Fiji | 27 September 1996 |
| Gambia | 16 May 1994 |
| Grenada | 29 September 1991 |
| Guinea | 8 September 1983 |
| Guinea-Bissau | 22 September 1986 |
| Haiti | 3 September 1982 |
| India | 8 August 1994 |
| Kuwait | 2 October 1995 |
| Kyrgyzstan | 12 March 1998 |
| Lao People's Democratic Republic | 13 September 1982 |
| Latvia | 14 May 1993 |
| Lebanon | 21 May 1998 |
| Lesotho | 21 September 1996 |
| Liberia | 16 August 1985 |
| Malaysia | 4 August 1996 |

| *State party* | *Date due* |
|---|---|
| Maldives | 1 July 1994 |
| Malta | 7 April 1992 |
| Mozambique | 16 May 1998 |
| Nepal | 22 May 1992 |
| Pakistan | 11 April 1997 |
| Papua New Guinea | 11 February 1996 |
| Republic of Moldova | 31 July 1997 |
| Saint Kitts and Nevis | 25 May 1986 |
| Saint Lucia | 7 November 1983 |
| Samoa | 25 October 1993 |
| Seychelles | 4 June 1993 |
| Sierra Leone | 11 December 1989 |
| Singapore | 4 November 1996 |
| Suriname | 31 March 1994 |
| Switzerland | 26 April 1998 |
| Tajikistan | 25 October 1994 |
| The former Yugoslav Republic of Macedonia | 17 February 1995 |
| Togo | 26 October 1984 |
| Trinidad and Tobago | 11 February 1991 |
| Turkmenistan | 31 May 1998 |
| Uzbekistan | 18 August 1996 |
| Vanuatu | 8 October 1996 |
| **B. Second periodic reports** | |
| Angola | 17 October 1991 |
| Benin | 11 April 1997 |
| Bhutan | 30 September 1986 |
| Bolivia | 8 July 1995 |
| Brazil | 2 March 1989 |
| Burundi | 7 February 1997 |
| Cambodia | 14 November 1997 |
| Cape Verde | 3 September 1986 |
| Central African Republic | 21 July 1996 |
| Congo | 25 August 1987 |
| Costa Rica | 4 May 1991 |
| Croatia | 9 October 1997 |
| Czech Republic | 24 March 1997 |
| Dominica | 3 September 1986 |
| Estonia | 20 November 1996 |
| Gabon | 20 February 1988 |
| Gambia | 16 May 1998 |
| Grenada | 29 September 1991 |
| Guinea | 8 September 1987 |

| *State party* | *Date due* |
|---|---|
| Guinea-Bissau | 22 September 1990 |
| Guyana | 3 September 1986 |
| Haiti | 3 September 1986 |
| Iraq | 12 September 1991 |
| Jordan | 31 July 1997 |
| Lao People's Democratic Republic | 13 September 1986 |
| Latvia | 14 May 1997 |
| Liberia | 16 August 1989 |
| Libyan Arab Jamahiriya | 15 June 1994 |
| Madagascar | 16 April 1994 |
| Malawi | 11 April 1992 |
| Maldives | 1 July 1998 |
| Mali | 10 October 1990 |
| Malta | 7 April 1996 |
| Morocco | 21 July 1998 |
| Namibia | 23 December 1997 |
| Nepal | 22 May 1996 |
| Netherlands | 22 August 1996 |
| Saint Kitts and Nevis | 25 May 1990 |
| Saint Lucia | 7 November 1987 |
| Samoa | 25 October 1997 |
| Seychelles | 4 June 1997 |
| Sierra Leone | 11 December 1993 |
| Slovakia | 27 June 1998 |
| Slovenia | 5 August 1997 |
| Suriname | 31 March 1998 |
| Togo | 26 October 1988 |
| Trinidad and Tobago | 11 February 1995 |
| Viet Nam | 19 March 1987 |
| Zimbabwe | 12 June 1996 |
| **C. Third periodic reports** | |
| Angola | 17 October 1995 |
| Belgium | 9 August 1994 |
| Bhutan | 30 September 1990 |
| Brazil | 2 March 1993 |
| Cape Verde | 3 September 1990 |
| Congo | 25 August 1991 |
| Costa Rica | 4 May 1995 |
| Cyprus | 22 August 1994 |
| Dominica | 3 September 1990 |
| El Salvador | 18 September 1990 |
| France | 13 January 1993 |

| *State party* | *Date due* |
|---|---|
| Gabon | 20 February 1992 |
| Ghana | 1 February 1995 |
| Guatemala | 11 September 1991 |
| Guinea | 8 September 1991 |
| Guinea-Bissau | 22 September 1994 |
| Guyana | 3 September 1990 |
| Haiti | 3 September 1990 |
| Iraq | 12 September 1995 |
| Kenya | 8 April 1993 |
| Lao People's Democratic Republic | 13 September 1990 |
| Liberia | 15 August 1993 |
| Libyan Arab Jamahiriya | 15 June 1998 |
| Madagascar | 16 April 1998 |
| Malawi | 11 April 1996 |
| Mali | 10 October 1994 |
| Mauritius | 8 August 1993 |
| Mongolia | 3 September 1990 |
| Paraguay | 6 May 1996 |
| Saint Kitts and Nevis | 25 May 1994 |
| Saint Lucia | 7 November 1991 |
| Senegal | 7 March 1994 |
| Sierra Leone | 11 December 1997 |
| Sri Lanka | 4 November 1990 |
| Togo | 26 October 1992 |
| Tunisia | 20 October 1994 |
| Uganda | 21 August 1994 |
| Viet Nam | 19 March 1991 |
| Yugoslavia | 28 March 1991 |
| Zambia | 21 July 1994 |
| **D. Fourth periodic reports** | |
| Australia | 27 August 1996 |
| Barbados | 3 September 1994 |
| Belarus | 3 September 1994 |
| Bhutan | 30 September 1994 |
| Brazil | 2 March 1997 |
| Bulgaria | 10 March 1995 |
| Cape Verde | 3 September 1994 |
| Congo | 25 August 1995 |
| Cuba | 3 September 1994 |
| Dominica | 3 September 1994 |
| Ecuador | 9 December 1994 |
| Egypt | 18 October 1994 |

| *State party* | *Date due* |
|---|---|
| El Salvador | 18 September 1994 |
| Equatorial Guinea | 22 November 1997 |
| Ethiopia | 10 October 1994 |
| France | 13 January 1997 |
| Gabon | 20 February 1996 |
| Greece | 7 July 1996 |
| Guatemala | 11 September 1995 |
| Guinea | 8 September 1995 |
| Guyana | 3 September 1994 |
| Haiti | 3 September 1994 |
| Honduras | 2 April 1996 |
| Hungary | 3 September 1994 |
| Italy | 10 July 1998 |
| Indonesia | 13 October 1997 |
| Kenya | 8 April 1997 |
| Lao People's Democratic Republic | 13 September 1994 |
| Liberia | 16 August 1997 |
| Mauritius | 8 August 1997 |
| Mongolia | 3 September 1994 |
| Nigeria | 13 July 1998 |
| Panama | 28 November 1994 |
| Poland | 3 September 1994 |
| Portugal | 3 September 1994 |
| Romania | 6 February 1995 |
| Rwanda | 3 September 1994 |
| Saint Kitts and Nevis | 25 May 1998 |
| Saint Lucia | 7 November 1995 |
| Saint Vincent and the Grenadines | 3 September 1994 |
| Senegal | 7 March 1998 |
| Spain | 4 February 1997 |
| Sri Lanka | 4 November 1994 |
| Togo | 26 October 1996 |
| Ukraine | 3 September 1994 |
| Uruguay | 8 November 1994 |
| Venezuela | 1 June 1996 |
| Viet Nam | 19 March 1995 |
| Yemen | 29 June 1997 |
| Yugoslavia | 28 March 1995 |
| Zambia | 21 July 1998 |

# Annex VII

## States parties whose reports have been submitted but have not yet been considered by the Committee on the Elimination of Discrimination against Women as of 1 August 1998

| *State party* | *Date due* | *Date received* | *Document symbol* |
|---|---|---|---|
| **A. Initial reports** | | | |
| Belize | 15 September 1991 | 19 September 1996 | CEDAW/C/BLZ/1-2 |
| Democratic Republic of the Congo[a] | 16 November 1987 | 1 March 1994 | CEDAW/C/ZAR/1 |
| Georgia | 25 November 1985 | 9 March 1998 | CEDAW/C/GEO/1 |
| Jordan | 31 July 1993 | 27 October 1997 | CEDAW/C/JOR/1 |
| Liechtenstein | 21 January 1997 | 4 August 1997 | CEDAW/C/LIE/1 |
| Lithuania | 17 February 1995 | 4 June 1998 | CEDAW/C/LTU/1 |
| **B. Second periodic reports** | | | |
| Belize | 15 June 1995 | 19 June 1996 | CEDAW/C/BLZ/1-2 |
| Burkina Faso | 13 November 1992 | 11 December 1997 | CEDAW/C/BFA/2-3 |
| Chile | 6 January 1995 | 9 March 1995 | CEDAW/C/CHI/2 |
| Democratic Republic of the Congo[a] | 16 November 1991 | 24 October 1996 | CEDAW/C/ZAR/2 |
| Equatorial Guinea | 22 November 1989 | 6 January 1994 | CEDAW/C/GNQ/2-3 |
| Germany | 9 August 1990 | 8 October 1996 | CEDAW/C/DEU/2-3 |
| Greece | 7 July 1988 | 1 March 1996 | CEDAW/C/GRC/2-3 |
| Ireland | 22 January 1991 | 6 February 1997 | CEDAW/C/IRL/2-3 |
| Jamaica | 18 November 1989 | 17 February 1998 | CEDAW/C/JAM/2-4 |
| Thailand | 8 September 1990 | 3 March 1997 | CEDAW/C/THA/2-3 |
| Uruguay | 8 November 1986 | 3 February 1998 | CEDAW/C/URY/2-3 |
| **C. Third periodic reports** | | | |
| Austria | 30 April 1991 | 25 April 1997 | CEDAW/C/AUT/3-4 |
| Belarus | 3 September 1990 | 1 July 1993 | CEDAW/C/BLR/3 |
| Burkina Faso | 13 November 1996 | 11 December 1997 | CEDAW/C/BFA/2-3 |
| China | 3 September 1990 | 29 May 1997 | CEDAW/C/CHN/3-4 |
| Democratic Republic of the Congo[a] | 16 November 1995 | 2 July 1998 | CEDAW/C/COD/3 |
| Egypt | 18 October 1990 | 30 January 1996 | CEDAW/C/EGY/3 |
| Equatorial Guinea | 22 November 1993 | 6 January 1994 | CEDAW/C/GNQ/2-3 |
| Finland | 4 October 1995 | 28 January 1997 | CEDAW/C/FIN/3 |
| Germany | 9 August 1994 | 8 October 1996 | CEDAW/C/DEU/2-3 |
| Greece | 7 July 1992 | 1 March 1996 | CEDAW/C/GRC/2-3 |
| Iceland | 3 July 1994 | 15 July 1998 | CEDAW/C/ICE/3-4 |
| Ireland | 22 January 1995 | 7 August 1997 | CEDAW/C/IRL/2-3 |
| Jamaica | 18 November 1993 | 17 February 1998 | CEDAW/C/JAM/2-4 |
| Luxembourg | 4 March 1998 | 12 March 1998 | CEDAW/C/LUX/3 |
| | | 17 June 1998 | CEDAW/C/LUX/3/Add.1 |

| *State party* | *Date due* | *Date received* | *Document symbol* |
|---|---|---|---|
| Spain | 4 February 1993 | 20 May 1996 | CEDAW/C/ESP/3 |
| Thailand | 8 September 1994 | 3 March 1997 | CEDAW/C/THA/2-3 |
| United Kingdom of Great Britain and Northern Ireland | 7 May 1995 | 16 August 1995<br>8 August 1997<br>14 July 1998 | CEDAW/C/UK/3<br>CEDAW/C/UK/3/Add.1<br>CEDAW/C/UK/3/Add.2 |
| Uruguay | 8 November 1990 | 3 February 1998 | CEDAW/C/URY/2-3 |
| **D. Fourth periodic reports** | | | |
| Austria | 30 April 1995 | 25 April 1997 | CEDAW/C/AUT/3-4 |
| China | 3 September 1994 | 29 May 1997 | CEDAW/C/CHN/3-4 |
| Colombia | 18 February 1995 | 8 July 1997 | CEDAW/C/COL/4 |
| Denmark | 21 May 1996 | 9 January 1997 | CEDAW/C/DEN/4 |
| Iceland | 3 July 1998 | 15 July 1998 | CEDAW/C/ICE/3-4 |
| Jamaica | 18 November 1997 | 17 February 1998 | CEDAW/C/JAM/2-4 |
| Japan | 25 July 1998 | 24 July 1998 | CEDAW/C/JPN/4 |
| Nicaragua | 26 November 1994 | 16 June 1998 | CEDAW/C/NIC/4 |
| Sweden | 3 September 1994 | 21 May 1996 | CEDAW/C/SWE/4 |

[a] By a communication dated 20 May 1997, the Secretariat was informed by the Member State formerly known as Zaire that the name of the State had been changed to the Democratic Republic of the Congo.

# Annex VIII

## Reports of States parties which have been overdue for more than five years, list presented to the Committee at its nineteenth session

| *State party* | *Date due* |
|---|---|
| **A. Initial reports** | |
| Angola | 17 October 1987 |
| Benin | 11 April 1993 |
| Bhutan | 30 September 1982 |
| Brazil | 2 March 1985 |
| Burundi | 7 February 1993 |
| Cape Verde | 3 September 1982 |
| Central African Republic | 21 July 1992 |
| Congo | 25 August 1983 |
| Costa Rica | 4 May 1987 |
| Dominica | 3 September 1982 |
| Estonia | 20 November 1992 |
| Grenada | 29 September 1991 |
| Guinea | 8 September 1983 |
| Guinea-Bissau | 22 September 1986 |
| Haiti | 3 September 1982 |
| Lao People's Democratic Republic | 13 September 1982 |
| Latvia | 14 May 1993 |
| Liberia | 16 August 1985 |
| Malta | 7 April 1992 |
| Nepal | 22 May 1992 |
| Saint Kitts and Nevis | 25 May 1986 |
| Saint Lucia | 7 November 1983 |
| Sierra Leone | 11 December 1989 |
| Togo | 26 October 1984 |
| Trinidad and Tobago | 11 February 1991 |
| **B. Second periodic reports** | |
| Angola | 17 October 1991 |
| Bhutan | 30 September 1986 |
| Brazil | 2 March 1989 |
| Cape Verde | 3 September 1986 |
| Congo | 25 August 1987 |
| Costa Rica | 4 May 1991 |
| Dominica | 3 September 1986 |
| Gabon | 20 February 1988 |
| Guinea | 8 September 1987 |
| Guinea-Bissau | 22 September 1990 |
| Guyana | 3 September 1986 |

| *State party* | *Date due* |
|---|---|
| Haiti | 3 September 1986 |
| Iraq | 12 September 1991 |
| Lao People's Democratic Republic | 13 September 1986 |
| Liberia | 16 August 1989 |
| Malawi | 11 April 1992 |
| Mali | 10 October 1990 |
| Saint Kitts and Nevis | 25 May 1990 |
| Saint Lucia | 7 November 1987 |
| Togo | 26 October 1988 |
| Viet Nam | 19 March 1987 |
| **C. Third periodic reports** | |
| Bhutan | 30 September 1990 |
| Brazil | 2 March 1993 |
| Cape Verde | 3 September 1990 |
| Congo | 25 August 1991 |
| Dominica | 3 September 1990 |
| El Salvador | 18 September 1990 |
| France | 13 January 1993 |
| Gabon | 20 February 1992 |
| Guatemala | 11 September 1991 |
| Guinea | 8 September 1991 |
| Guyana | 3 September 1990 |
| Haiti | 3 September 1990 |
| Kenya | 8 April 1993 |
| Lao People's Democratic Republic | 13 September 1990 |
| Mongolia | 3 September 1990 |
| Saint Lucia | 7 November 1991 |
| Sri Lanka | 4 November 1990 |
| Togo | 26 October 1992 |
| Viet Nam | 19 March 1991 |
| Yugoslavia | 28 March 1991 |

# Annex IX

## Procedures and format for the elaboration of concluding comments

1. The Committee designates from among its members a country rapporteur for the report of each State party.

2. Assisted by the Secretariat, the country rapporteur seeks additional information on the situation of women in the State party under review. The findings of the country rapporteur are presented as a briefing on the report at a closed meeting before the State party's presentation. In the case of periodic reports, the rapporteur's report is sent in advance to the pre-session working group.[a]

3. The Committee holds a closed meeting after the constructive dialogue to consider the main issues and trends to be reflected in the concluding comments relating to the report of the State party. Concluding comments drafted thereafter reflect only the views expressed at the meetings during which the report is presented and not the views of the individual country rapporteurs.

4. The expert nominated as a country rapporteur drafts the concluding comments in close collaboration with the general rapporteur of the Committee and with the support of the Secretariat.

5. Concluding comments are preceded by a summary of the State party's presentation, which is prepared by the Secretariat.

6. Concluding comments usually follow a standard format under four headings: introduction; positive aspects; factors and difficulties affecting the implementation of the Convention; principal areas of concern and recommendations.

7. The introduction contains comments on whether the report has followed the Committee's guidelines for the preparation of initial and periodic reports; whether it was sufficient or insufficient; whether it incorporates or refers to statistical information disaggregated by sex; and the Committee's general recommendations. Whether there are any reservations to the Convention; whether reservations have been withdrawn; whether the State party has objected to the reservations of other States parties; and whether the State party has mentioned the implementation of the Beijing Platform for Action are issues which are addressed in this section, as well as the nature and relevance of the oral presentation. An objective indication of the strengths of the report and the strength of the delegation is generally included.

8. The "positive aspects" section is organized in the order of the articles of the Convention.

9. The "factors and difficulties" section describes major overarching reasons why the Convention on the Elimination of All Forms of Discrimination against Women has not been implemented fully by the State party. Any reservations to the Convention are also addressed in this section,[b] as well as other legal impediments to the implementation of the Convention.

10. The "principal areas of concern and recommendations" section is organized in the order of the importance of the particular issues to the country under review and provides concrete proposals from the Committee on the problems identified in the rest of the comments.

11. The concluding comments include reference to any commitments of the State party made at the Fourth World Conference on Women, which was held in Beijing from 4 to 15 September 1995.

12. Where appropriate, the concluding comments include specific suggestions to the States parties with regard to possible technical assistance from the Office of the United Nations High Commissioner for Human Rights and other parts of the United Nations system. Recommendations relating to technical assistance could, for example, be directed at reservations, review of legislation and law reform.

13. Concluding comments close with a recommendation relating to dissemination, requesting the wide dissemination of the concluding comments in the State party concerned, in order to make the people in the State party, and in particular its government administrators and politicians, aware of the steps that have been taken to ensure de facto equality for women and the further steps required in that regard. It also requests the State party to continue to disseminate widely, and in particular to women's and human rights organizations, the Convention, the Committee's general recommendations and the Beijing Declaration and the Platform for Action.

14. Each concluding comment is internally balanced, and the Committee strives to achieve consistence and balance, particularly in terms of praise and expressions of concern, among the concluding comments elaborated at each session. Accordingly, the Committee considers concluding comments comparatively in an effort to ensure that they are even.

*Notes*

[a] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 38* (A/52/38/Rev.1), part two, para. 469.

[b] At its thirteenth session, the Committee agreed that for those States parties that have entered substantive reservations to the Convention, it would include, in the concluding comments it prepares following the review of their reports, a section in which the Committee's views would be reflected. *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 38* (A/49/38), chap. I, sect. C, para. 10.

# Annex X

## Contribution to the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights

**Statement on reservations**

## Introduction

1. The Committee on the Elimination of Discrimination against Women wishes to mark the fiftieth anniversary of the Universal Declaration of Human Rights and the five-year review of the Vienna Declaration and Programme of Action with a statement concerning the adverse impact that reservations to the Convention on the Elimination of All Forms of Discrimination against Women have on the achievement by women of full and substantive equality with men. The Committee has extensive experience of the impact of reservations gained from the examination of States parties' reports. It has also noted the increasing concern expressed by other human rights treaty bodies, the International Law Commission, some Member States, the World Conference on Human Rights and the Fourth World Conference on Women, as well as scholars and non-governmental organizations, at the number and extent of reservations to human rights treaties, and to this Convention in particular.

## Background

2. The Committee has, on a number of occasions, expressed its views and concerns regarding the number and extent of reservations to the Convention.[a] It has also noted that some States parties that enter reservations to the Convention do not enter reservations to analogous provisions in other human rights treaties. A number of States enter reservations to particular articles on the ground that national law, tradition, religion or culture is not congruent with Convention principles, and purport to justify the reservation on that basis. Some States enter a reservation to article 2, although their national constitutions or laws prohibit discrimination. There is therefore an inherent conflict between the provisions of the State's constitution and its reservation to the Convention. Some reservations are drawn so widely that their effect cannot be limited to specific provisions in the Convention.

3. Several States parties have entered interpretative declarations to the Convention on ratification or accession. While it is not always easy to distinguish a declaration from a reservation, any statement, irrespective of its title, which seeks to modify the legal effect of the Convention in respect of a State party, will be considered by the Committee to be a reservation.[b] The Committee has noted, in this regard, that a number of States parties have entered general declarations which constitute, in fact, general reservations.

## Reservations to the Convention

4. As at 1 July 1998, 161 States parties had ratified the Convention on the Elimination of All Forms of Discrimination against Women. Fifty-four States had entered reservations to one or more articles in the Convention including permissible reservations to article 29 (1) and (2).

5. Articles 2 and 16 are considered by the Committee to be core provisions of the Convention. Although some States parties have withdrawn reservations to those articles, the Committee is particularly concerned at the number and extent of reservations entered to those articles.

## Impermissible reservations

6. Article 28, paragraph 2, of the Convention adopts the impermissibility principle contained in the Vienna Convention on the Law of Treaties. It states that a reservation incompatible with the object and purpose of the present Convention shall not be permitted.

7. Although the Convention does not prohibit the entering of reservations, those which challenge the central principles of the Convention are contrary to the provisions of the Convention and to general international law. As such they may be challenged by other States parties.

8. States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

(a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation, if not yet incorporated therein, and to ensure, through law and other appropriate means, the practical realization of this principle;

(b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;

(c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;

(d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;

(e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;

(f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;

(g) To repeal all national penal provisions which constitute discrimination against women.

9. Reservations affect the efficacy of the Convention, whose objective is to end discrimination against women and to achieve *de jure* and de facto equality for them. Reservations prevent the Committee from assessing the progress of States parties' implementation of the Convention, limit its mandate and potentially affect the entire human rights regime. Some States are concerned about a perceived conflict between article 2 and the Islamic shariah law. In other instances, States have entered reservations, which, although unspecific, are broad enough to encompass article 2. These reservations pose an acute problem for the implementation of the Convention and for the Committee's ability to monitor compliance with it. Several have entered reservations to article 2 to protect rights of succession to the throne and to chiefly and other traditional titles. This too is discriminatory against women.

10. In general recommendation 20, the Committee, *inter alia*, sought to resolve the problem of impermissible reservations. And, in June 1993, the Vienna Declaration and Programme of Action encouraged States to consider limiting the extent of any reservations they lodged to international human rights instruments, to formulate any reservations as precisely and narrowly as possible, to ensure that none is incompatible with the object and purpose of the relevant treaty and to regularly review any reservations with a view to withdrawing them. In spite of these recommendations, to date few reservations to article 2 have been modified or withdrawn by any State party.

## Article 16

11. The Committee has previously analysed article 16 in its general recommendation 21. In the course of the analysis of factors impeding compliance with article 16, it said:

> "*Reservations*
>
> "The Committee has noted with alarm the number of States parties which have entered reservations to the whole or part of article 16, especially when a reservation has also been entered to article 2, claiming that compliance may conflict with a commonly held vision of the family, based, *inter alia*, on cultural or religious beliefs or on a country's economic or political status.
>
> "Many of these countries hold a patriarchal belief in the structure of a family which places a father, husband or son in a favourable position. In some countries where fundamentalist or other extremist views or economic hardship have encouraged a return to old values and traditions, women's place in the family has deteriorated sharply. In others, where it has been recognized that a modern society depends for its economic advance and for the general good of the community on involving all adults equally, regardless of gender, these taboos and reactionary or extremist ideas have progressively been discouraged.
>
> "Consistent with articles 2, 3 and 24 in particular, the Committee requires that all States parties gradually progress to a stage where, by their resolute discouragement of notions of the inequality of women in the home, each country will withdraw its reservation, in particular to articles 9, 15 and 16 of the Convention.
>
> "States parties should resolutely discourage any notions of inequality of women and men which are affirmed by laws or by private law or custom, and progress to the stage where reservations, in particular to article 16, will be withdrawn."[c]

12. The Committee again emphasizes these recommendations and encourages States parties to note, adopt and implement them.

## Impact of reservations

13. Reservations to any human rights treaty limit the application of internationally accepted human rights norms at the national level. They will also indicate clearly the degree of commitment of the reserving State to full compliance with the particular treaty.

14. When reservations are made to the Convention on the Elimination of All Forms of Discrimination against Women, there can be a double impact. By entering a reservation, the State indicates its unwillingness to comply with an accepted human rights norm. It also ensures that women's inequality with men will be entrenched at the national level. The

promise given to its women when the State ratifies the Convention is not therefore fulfilled. This not only affects women's ability to exercise and enjoy their rights, but also guarantees that they will remain inferior to men and have less access to the full range of civil, political, economic, social and cultural rights enjoyed by men. The ramifications for women are significant. They must compete with men on an unequal footing for such fundamental rights as equality of income, access to education, housing and health care and equality of rights and responsibilities within the family. Reservations to articles 2 and 16 perpetuate the myth of women's inferiority and reinforce the inequalities in the lives of millions of women throughout the world. They continue to be treated in both public and private life as inferior to men and to suffer greater violations of their rights in every sphere of their lives.

15. The Committee holds the view that article 2 is central to the objects and purpose of the Convention. States parties which ratify the Convention do so because they agree that discrimination against women in all its forms should be condemned and that the strategies set out in article 2, subparagraphs (a) to (g), should be implemented by States parties to eliminate it.

16. Neither traditional, religious or cultural practice nor incompatible domestic laws and policies can justify violations of the Convention. The Committee also remains convinced that reservations to article 16, whether lodged for national, traditional, religious or cultural reasons, are incompatible with the Convention and therefore impermissible and should be reviewed and modified or withdrawn.

## Removing reservations

17. The Committee considers that those States parties which have entered reservations to the Convention have certain options open to them. According to the Special Rapporteur appointed by the International Law Commission to report on the law and practice relating to reservations to treaties a State party may:

(a) After having examined the finding in good faith, maintain its reservation;

(b) Withdraw its reservation;

(c) "Regularize" its situation by replacing its impermissible reservation with a permissible reservation;

(d) Renounce being a party to the Treaty.

18. The Committee has already noted that to date, few reservations to article 2 have been withdrawn or modified by any State party and that reservations to article 16 are rarely withdrawn.

19. While article 29 provides an inter-State dispute procedure, a number of States have entered reservations to article 29 itself, thereby limiting its effect. Some States formally lodge objections to reservations to articles 2 or 16. The Committee recognizes and appreciates the positive impact that the use of this procedure can have in encouraging States to withdraw or modify reservations and the empowering effect these objections have for women in the State party. It is optimistic that more States parties will rigorously review and object to impermissible reservations to the Convention.

20. The Committee also acknowledges the view of the Special Rapporteur appointed by the International Law Commission that objections by States are not only a means of exerting pressure on reserving States, but also serve as a useful guide for the assessment of the permissibility of a reservation by the Committee itself.

## The role of the Committee

21. The Committee has an important role to play, one which has been mandated by the Vienna Declaration and Programme for Action, which, in paragraph 39, states that the Committee should continue its review of reservations.

22. The Committee concludes that it has certain responsibilities as the body of experts charged with the consideration of periodic reports submitted to it. The Committee, in its examination of States' reports, enters into constructive dialogue with the State party and makes concluding comments routinely expressing concern at the entry of reservations to articles 2 and 16 or the failure of States parties to withdraw or modify them.

23. The Special Rapporteur considers that control of the permissibility of reservations is the primary responsibility of the States parties. However, the Committee again wishes to draw to the attention of States parties its grave concern at the number and extent of impermissible reservations. It also expresses concern that, even when States object to such reservations, there appears to be a reluctance on the part of the States concerned to remove and modify them and thereby comply with general principles of international law.

# Conclusion

24. Fifty years after the adoption of the Universal Declaration of Human Rights, the great majority of Member States have signified their commitment to the Convention by ratification or accession. It is now time to re-examine States' self-imposed limitations to full compliance with all the principles in the Convention by the entry of reservations. Removal or modification of reservations, particularly to articles 2 and 16, would indicate a State party's determination to remove all barriers to women's full equality and its commitment to ensuring that women are able to participate fully in all aspects of public and private life without fear of discrimination or recrimination. States which remove reservations would be making a major contribution to achieving the objectives of both formal and de facto or substantive compliance with the Convention – a laudable and appropriate contribution to the commemoration of 50 years of compliance with the Universal Declaration of Human Rights, as well as implementation of the 1993 Vienna Declaration and Programme of Action.

*Notes*

[a] General recommendations 4, 20 and 21.

[b] Article 2 (subpara. 1) d, Vienna Convention on the Law of Treaties, 1969.

[c] General recommendation No. 21 (thirteenth session, 1994), *Equality in marriage and family relations*, paras. 41-44.